

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

ROBERT COLLINS, individually and
on behalf of similarly situated persons,

Civ. No. 21-cv-1457(KMM/DTS)

Plaintiffs,

v.

LAKES AREA PIZZA, INC., et al.,

Defendants.

**ORDER GRANTING MOTION FOR
FINAL APPROVAL
OF A CLASS ACTION
SETTLEMENT AND INDIVIDUAL
SETTLEMENTS**

This matter is before the Court on Plaintiffs' Consent Motion for Final Approval of a Class Action Settlement and Approval of Individual Settlements (hereafter "the Consent Motion"). The Court preliminarily approved the settlement on November 14, 2022; certified a Minnesota class action for purposes of settlement; granted preliminary approval of the class settlement; certified a Fair Labor Standards Act collective action for purposes of settlement; granted preliminary approval of the FLSA settlement; approved the form and content of the parties' proposed notice; ordered the notice to be disseminated; and scheduled a final fairness hearing. The Court held the final fairness hearing on April 11, 2023.¹ Neither the Court nor the parties' counsel received notice of any objection to the

¹ Defense counsel sent the required notice on April 4, 2023, and noted that under § 1715(d), an "order giving final approval of a proposed settlement may not be issued earlier than 90 days after the later of the dates on which the appropriate Federal official and the appropriate State official are served with the notice required under subsection (b)." More than 90 days have now passed since the notice was served on the appropriate officials and no objection to the settlement has been filed by any state or federal official. Accordingly, the Court finds that the CAFA notice requirements have been met. *In re Processed Egg Prods. Antitrust Litig.*, 284 F.R.D. 249, 258 n.10 (E.D. Pa. 2012).

settlement prior to the final fairness hearing, and no objectors appeared at the final fairness hearing.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Consent Motion [Dkt. No. 39] is **GRANTED**.
2. The parties' settlement, as set forth in the parties' Settlement Agreement and Release [Dkt. No. 39-1], is approved as a fair, reasonable, and adequate resolution of *bona fide* disputes between the parties.
3. The individual settlements of Brandon Gageby, Kevin Gageby, Noah Jones, Austin Kadlec, and David Shindley [Dkt. No. 39-2] are approved as fair, reasonable and adequate resolutions of their respective wage and hour claims.
4. A \$5,000.00 service award to Named Plaintiff Robert Collins is approved.
5. The attorney fee rates sought by Plaintiff's counsel are reasonable and an award of fees and costs equal one-third of the gross settlement value is approved.
6. Plaintiff's counsel is awarded \$3,987.80 for litigation costs.
7. The settlement administrator is awarded \$9,500.00 for fees and costs.
8. The parties must effectuate the settlement terms.
9. This matter and all claims asserted in this matter are dismissed with prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 6, 2023

s/Katherine Menendez

Katherine Menendez
United States District Court Judge